

### III. REMARKS

1. Applicant respectfully requests clarification of the statement that the "foreign" priority claim filed on 11/23/2005 was not entered."

This U.S. application is the National Stage of International Application No. PCT/EP2002/008587. This is clearly reflected in the Transmittal letter that accompanied the application filing papers and is also set forth in the Preliminary Amendment submitted on February 1, 2005.

It is submitted that all the necessary requirements for this National Stage filing have been satisfied.

The Examiner is requested to clarify what foreign priority claim was not entered and what requirement has not been satisfied.

2. Claims 21, 22 and 30 are cancelled without prejudice. Claims 18-20, 24-25, 27 and 29 are amended to correct the dependency relations.
3. Claims 11-30 are not anticipated by Sakoda (US6088345).

Claim 11 recites that the "depth of said interleaving corresponds to a transmission time not greater than the least or said defined transmission times." This is not disclosed or suggested by Sakoda.

Sakoda relates to setting a transmission channel to accommodate changes in transmission conditions. During communication between a base station and a terminal, an outgoing call request is transmitted. The base station transmits a

corresponding response signal to the terminal that specifies the transmission channel. (Col. 6, lines 41-57). When audio data is being transmitted in the section of information bits in the slot period, the header information in the data in each slot period is "0". (Col. 6, lines 62-65). When the terminal needs to transmit image data for a facsimile during the audio transmission, the header information is changed to "1". (Col. 6, line 66 to Col. 7, line 6). The base station looks for an empty slot, and if one is found the slot is used for transmission of the image data. (Col. 7, lines 7-21).

Although Sakoda does mention that data which has been convolutional encoded is supplied to an interleave buffer 62 for an interleave process, there is no disclosure related to a "depth" of the interleaving corresponding to a "transmission time" that is "not greater than the least of said defined transmission times" as recited by Applicant in the claims.

The Examiner refers to Figure 1(21), Col. 4, lines 1-21 and Col. 9, lines 13-25 to support this conclusion. However, these sections do not teach what is claimed by Applicant.

Figure 1, reference 21 is a transmitter. Col. 4, lines 1-21 discusses that the transmission data is supplied to a modulation process. The features recited by Applicant are not disclosed or suggested in the figure or the passage.

As noted earlier, Col. 9, lines 13-25 discusses how the coded data is subjected to an interleave process. However, what is not disclosed here or elsewhere in Sakoda is that a "depth" of the interleaving corresponds to a "transmission time" that is "not greater than the least of said defined transmission times" as recited by Applicant in the claims.

Thus, claim 11 cannot be anticipated by Sakoda.

Claim 11 is also not anticipated by Sakoda because there is no disclosure relating to concatenating data from the data flow and a code identifying the manner "to produce a block of concatenated data" as recited in the claim.

Figures 1 and 10 of Sakoda illustrate the basic system, but do not teach what is claimed by Applicant.

Col. 3, lines 42-67 does not describe that which is claimed by Applicant. The section describes how the reception signal is converted, the audio data is converted and the facsimile data is converted. There is no disclosure here related to what is claimed by Applicant.

Col. 4, lines 1-37 are similarly silent as to the features recited by Applicant in claim 11.

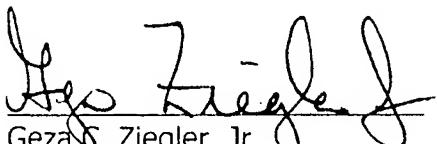
Thus, since at least this feature is not disclosed or suggested by Sakoda, the claim cannot be anticipated. Claims 13-17 should be allowable at least by reason of their respective dependencies.

Claims 12 and 23 are not anticipated for reasons similar to those discussed with respect to claim 11. Claims 18-20 and 24-29 are not anticipated at least by reason of their respective dependencies.

The Commissioner is hereby authorized to charge payment of \$120 for one-month extension of time and any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

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Respectfully submitted,



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19 Nov 2007

Date

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I hereby certify that this correspondence is being transmitted electronically, on the date indicated below, addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 20 November 2007

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